

**FILED  
UNDER  
SEAL**

Prob12C  
D/NV Form  
Rev. March 2017

United States District Court  
for  
the District of Nevada

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PETITION FOR WARRANT  
FOR OFFENDER UNDER SUPERVISION

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Name of Offender: **Andress Coterio**

Case Number: **2:17CR00376**

Name of Sentencing Judicial Officer: **Honorable Howard F. Sachs**

Date of Original Sentence: **January 26, 2006**

Original Offense: **Possession with Intent to Distribute Methamphetamine.**

Original Sentence: **210 Months prison, followed by 60 Months TSR.**

Date of 1st Prior Revocation: **November 22, 2019**

Revocation Sentence: **6 Months prison, followed by 48 months TSR.**

Date of 2nd Prior Revocation: **April 14, 2022**

Revocation Sentence: **11 Months prison, followed by 25 months TSR.**

Date Supervision Commenced: **December 9, 2022**

Date Jurisdiction Transferred to Nevada: **November 28, 2017**

Name of Assigned Judicial Officer: **Honorable Richard F. Boulware**

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PETITIONING THE COURT

☒ To issue a warrant.

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The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of

**RE: Andress Coterio**

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**release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.**

- A. On March 2, 2023, Coterio submitted to a drug test that indicated positive for methamphetamine. On March 3, 2023, the undersigned officer contacted Coterio to discuss the positive drug test. Coterio admitted to the undersigned officer that he had used methamphetamine on an unknown date prior to the drug test on March 2, 2023.
- B. On April 21, 2023, Coterio submitted to a drug test at the probation office that indicated positive for methamphetamine. Coterio admitted to the undersigned officer that he had used methamphetamine a “couple days” prior.

- 2. **Drug Testing** – You must submit to the maximum amount of substance abuse testing for the first 2 years/720 days of supervision to determine if you have used a prohibited substance. *Testing shall not exceed 104 tests per year. You must not attempt to obstruct or tamper with the testing methods.*

On the following dates Coterio failed to report for drug testing:

February 22, 2023  
February 24, 2023  
April 20, 2023  
April 26, 2023  
May 1, 2023

- 3. **“GPS” Location Monitoring** – You will be monitored by the form of GPS location monitoring technology for a period of 12 months/365 days, and you must follow the rules and regulations of the location monitoring program while on home confinement. You must contribute to the cost of program once employed. This condition to be imposed as a “stand-alone” condition if home confinement is modified or removed

On May 2, 2023, at 1533 hour, the undersigned officer received a tracker strap tamper alert. Immediately after receiving the alert, the undersigned officer attempted to contact Coterio telephonically without success. Approximately an hour later, the undersigned officer located the tracker in a desert lot at the intersection of Hinson and Mountain View Boulevard. The strap to the tracker was cut.

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**U.S. Probation Officer Recommendation:**

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the  
information contained herein is true and correct,

Executed on **May 3, 2023**



Digitally signed by  
Javier Muruato-Cortez  
Date: 2023.05.03  
16:08:14 -07'00'

Javier Muruato  
U.S. Probation Officer

Approved:



Digitally signed by Todd  
Fredlund  
Date: 2023.05.03 14:35:07  
-07'00'

Todd J. Fredlund  
Supervisory United States Probation Officer

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***THE COURT ORDERS***

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- ☐ No Action.  
☒ The issuance of a warrant.  
☐ The issuance of a summons.  
☐ Other:



Signature of Judicial Officer

5/3/2023

Date

**RE: Andress Coterio**

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA  
UNITED STATES V. ANDRESS COTERO, 2:17CR00376**

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**SUMMARY IN SUPPORT OF PETITION FOR WARRANT  
May 3, 2023**

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By way of case history, Coterio was sentenced in the Western District of Missouri on January 26, 2006, for Possession with Intent to Distribute Methamphetamine. Jurisdiction of this case now lies with the District of Nevada and assigned to Your Honor under Case No. 2:17cr00376.

On November 22, 2019, Coterio was sentenced by Your Honor in Case No. 2:19cr00141 for Felon in Possession of a Firearm. He is on his 3rd term of supervision. Coterio was most recently revoked on April 14, 2022, for violations to include using controlled substance and interacting with criminals.

Coterio commenced this term of supervised release on December 9, 2022. Among the other imposed special conditions, Coterio was ordered to 90 days of home confinement with location monitoring. Initially, Coterio was compliant and even secured full-time employment. On February 9, 2023, Coterio appeared before Your Honor for a status check wherein Your Honor changed the location monitoring component from home detention to stand-alone.

Since his status hearing, Coterio has failed to report for drug testing on five (5) occasions, has admitted to using methamphetamine on at least two occasions, lost his job, and cut the strap to his ankle monitor. As for his use of methamphetamine, Coterio admitted to the undersigned officer that he used methamphetamine while at work because he was tired from the long shifts he was working.

It is noted that since released from home detention, but continued stand-alone monitoring via GPS, Coterio had been traveling to multiple casinos, bars, and other areas of town in the middle of the night that are known for high crime and drug activity. Additionally, Coterio was staying overnight at other residences and not his approved residence, which is his mother's home.

As for losing his job, Coterio explained that on two occasions he slept in and did not get to work on time and reportedly was told he was not needed anymore.

In response to his non-compliance, Coterio was mandated to attend substance abuse treatment, drug testing was increased, and he was presented with a waiver to modify his conditions to reinstate the home detention condition. Coterio did not agree with the modification and requested a hearing in front of your Honor. Coterio's modification hearing was recently continued to May 25, 2023.

**RE: Andress Cotero**

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On May 2, 2023, at approximately 3:33 p.m., the undersigned officer received notification of a Tracker Strap Tamper alert, indicating the GPS tracker strap may have been cut. The undersigned officer attempted to contact Cotero by phone, but the call went straight to voicemail. A text message was also sent requesting a return call, but Cotero did not respond. The undersigned officer attempted to locate Cotero at the last known location of the GPS tracker. Cotero was not located, but the GPS tracker was found with a cut strap in a desert lot.

Cotero has a substantial history of noncompliance under supervision which includes two prior revocations. Cotero's violations under supervision include drug use (methamphetamine), failure to report as directed, failing to report for drug tests, associating with others involved in crime, and criminal activity. During his first term of supervised release in this matter, on March 9, 2019, during a traffic stop, Cotero was found to be in possession of methamphetamine and a Smith & Wesson .38 Special Revolver. During his second term of supervised release, on January 7, 2022, during a traffic stop Cotero was found in possession of methamphetamine and a Taurus .357 revolver.

Cotero has the following convictions:

Battery With Use of a Deadly Weapon (April 1996)  
Possession with Intent to Distribute Methamphetamine (January 2006)  
Felon in Possession of a Firearm (March 2019)  
And multiple traffic violations.

As previously noted, Cotero is on his 3<sup>rd</sup> term of supervised release. He has been afforded multiple opportunities to address his substance abuse and abide by conditions ordered. He has repeatedly demonstrated he is not amenable to supervision. As detailed in this petition, on May 2, 2023, Cotero cut the strap to his ankle monitor and threw it a desert lot. His current whereabouts are unknown, and he has not responded to attempts by the undersigned officer to establish contact with him. Cotero is considered an absconder from supervision. It is respectfully requested a warrant be issued, so that revocation proceeding maybe initiated. Furthermore, upon arrest, it is recommended he remain in custody pending his revocation hearing before this Court, as he is a danger to the community and a flight risk.

Approved:



Digitally signed by  
Todd Fredlund  
Date: 2023.05.03  
14:35:42 -07'00'

Todd J. Fredlund  
Supervisory United States Probation Officer

Respectfully submitted,



Digitally signed by  
Javier Muruato-Cortez  
Date: 2023.05.03  
16:11:45 -07'00'

Javier Muruato  
United States Probation Officer